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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,934	03/09/2004	Andreas Sausner	388-1001	3281
2574	7590	02/03/2006	EXAMINER	
JENNER & BLOCK, LLP ONE IBM PLAZA CHICAGO, IL 60611			HONG, JOHN C	
			ART UNIT	PAPER NUMBER
			3726	

DATE MAILED: 02/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/796,934	Applicant(s) SAUSNER ET AL.	
	Examiner John C. Hong	Art Unit 3726	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 10-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8 and 9 is/are rejected.
- 7) ☐ Claim(s) 7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of claims 1-9 in the reply filed on 10/31/05 is acknowledged.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, 8, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art (AAPA) in view of Ikeda et al. (U.S. Patent 5940952) and FR2817953.

AAPA as found on page 1, lines 14-17 of the specification, discloses a method for making a metal tube sheathed with an electrically non-conducting plastic layer which is used in a motor vehicle for transporting liquid or gaseous media, especially fuels, and which is adapted to be connected to a conductive portion of the motor vehicle and utilizing heat shrinkable sleeve made of electrically conductive plastic or plastic made conductive by additives (page 5, lines 1-3).

AAPA fails to teach the steps of : removing the plastic layer of the metal tube at an area of connection; providing a conductive covering section which covers the area of connection on all sides or more than covers the area of connection on all sides, pressing the conductive covering onto the metal tube at least at its ends under radial pressure applied along at

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least part of the circumference without any gaps; the covering section consists of a heat-shrinkable sleeve made of electrically conductive plastic; the heat-shrinkable sleeve is shrunk onto the metal tube by heat treatment; and the heat-shrinkable sleeve is provided with an electrically conductive adhesive coating on the inside.

Ikeda et al. teach the steps of removing the plastic layer of the metal tube at an area of connection; providing a covering section which covers the area of connection on all sides or more than covers the area of connection on all sides, pressing the conductive covering onto the metal tube at least at its ends under radial pressure applied along at least part of the circumference without any gaps (Fig.10; claim 1); the covering section consists of a heat-shrinkable sleeve made of plastic (col. 6, lines 64); the heat-shrinkable sleeve is shrunk onto the metal tube by heat treatment (Fig.1-3,7,8); and the heat-shrinkable sleeve is provided with an electrically conductive adhesive coating (6) on the inside (Fig. 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the steps of removing the plastic layer of the metal tube at an area of connection; providing a covering section which covers the area of connection on all sides or more than covers the area of connection on all sides, pressing the conductive covering onto the metal tube at least at its ends under radial pressure applied along at least part of the circumference without any gaps the covering section consists of a heat-shrinkable sleeve made of electrically conductive plastic; the heat-shrinkable sleeve is shrunk onto the metal tube by heat treatment; and the heat-shrinkable sleeve is provided with an electrically conductive adhesive coating on the inside, as taught by Ikeda et al. on the method of AAPA so as to apply corrosion-protective coating to a joint effectively.

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Regarding Claim(s) 3-5, the method of utilizing covering section consists of metal crimp sleeve consists of aluminum or stainless steel press on tube mechanically is well known in the art and It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize such covering on the method of AAPA/Ikeda et al. so as to apply corrosion-protective coating to a joint effectively.

Allowable Subject Matter

4. Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John C. Hong whose telephone number is 571-272-4529. The examiner can normally be reached on M-F(07:00-16:30)First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on 571-272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'JCH', is positioned to the left of the printed name.

John C. Hong
Primary Examiner
Art Unit 3726

jh
January 30, 2006